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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,184	08/01/2001	Klaus Hoffman	112740-232	2046
29177	7590	04/12/2005	EXAMINER	
BELL, BOYD & LLOYD, LLC P. O. BOX 1135 CHICAGO, IL 60690-1135			ABELSON, RONALD B	
			ART UNIT	PAPER NUMBER
			2666	

DATE MAILED: 04/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/682,184

Applicant(s)

HOFFMAN, KLAUS

Examiner

Ronald Abelson

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 7-17 is/are rejected.
- 7) ☒ Claim(s) 3, 5, and 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)          |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. <u>4/7/2004</u> .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____.  | 6) <input type="checkbox"/> Other: _____.                                   |

***Drawings***

1. The drawings are objected to because figure 1 does not label element 16. See specification pg. 8 section [0045].

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Objections***

2. Claim 2 is objected to because of the following informalities: Claim 2 on line 2 refers to "claim 2". The examiner assumes the applicant is referring to "claim 1". Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claim 3 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Page 3 section [0012] states "separate information elements are used for transmitting the address and the identifier". Page 11 section [0055] states that

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the Internet address is transmitted via signaling link 58 (see fig. 1). However, nowhere in the specification does the applicant state which element transmits the "identifier".

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claim 1, 2, 7, 8, 12, 14-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Shankar (US 6,570,869).

Regarding claims 1, 14-17, Shankar teaches a method for connecting networks of different types of transmission (fig. 1).

Shankar teaches transmitting user data packets (fig. 1 box 130, col. 1 lines 39-42) between two network access units (fig. 1 box 110, 150) in a packet-based network (fig. 1 box 130).

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Shankar teaches forwarding the user data connectionlessly by network nodes between the two network access units (fig. 1 box 130, IP network, col. 4 lines 15-17).

Shankar teaches receiving the user data in data channels at the network access units (TDMA, col. 4 lines 29-31), wherein the user data is one of divided and depacketized as data packets and forwarded in data channels (fig. 3 box 300, col. 4 lines 31-38).

Shankar teaches exchanging signaling messages between the signaling units, wherein the signal messages include at least one information element for at least one of transmitting an address of a network access unit (fig. 1 box 110, 120, 140, network address of originating signaling unit, col. 5 lines 47-52) and transmitting an identifier for identifying a connection of the relevant network access unit.

Regarding claim 2, an event occurs which is at least one of the information element contains an address at which the network access unit in the packet-based network can receive user data packets (col. 5 lines 47-52).

Regarding claim 7, the packet-based network operates in accordance with the Internet protocol (col. 4 lines 15-17).

Regarding claim 8, controlling a network node in a circuit-switched network via at least one of the signaling units (fig. 1 box 120, col. 5 lines 44-47).

Regarding claim 12, at least one network access unit (fig. 1 box 110) is a unit remote from a control unit (fig. 1 box 120).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 4 and 9 rejected under 35 U.S.C. 103(a) as being unpatentable over Shankar as applied to claim 1 above, and further in view of Newton.

Regarding claim 4, although Shankar teaches ISUP and SS7, the reference is silent on Q.765.

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Newton teaches Q.765 is a standard for the ISUP part of SS7 (pg. 613).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of Shankar by sending the signaling messages according to the Q.765 standard. This would improve the system since the system uses ISUP and SS7 and Q.765 is a standard protocol for ISUP and SS7.

Regarding claim 9, although Shankar teaches IP packets, the reference is silent on RTP for real-time data transmission.

Newton teaches RTP is a standard for real-time multimedia over IP (pg. 656).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of Shankar by using RTP for real-time multimedia. This would improve the system since IP is already standardized to support real-time multimedia.

9. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shankar as applied to claim 1 above, in view of Newton and further in view of applicant's admitted prior art.



Although Shankar teaches ISUP and SS7, the reference is silent on exchanging messages according to at least one of the Q.763 and Q.764 protocols between the signaling units.

Newton teaches both Q.763 and Q.764 are a standard for the ISUP part of SS7 (pg. 613).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of Shankar by sending the signaling messages according to the Q.763/Q.764 standard. This would improve the system since the system uses ISUP and SS7 and Q.763/Q.764 is a standard protocol for ISUP and SS7.

The combination of Shankar and Newton is silent on using a code having at least one and one half bytes and at most two bytes for designating the call entry.

AAPA teaches using a code having at least one and one half bytes and at most two bytes for designating the call entry (pg. 6 [0031] lines 7-10). Note, the applicant's representative, Mr. Peter Zura, in a telephone conversation on 4/7/2005, confirmed that the referenced portion of the specification is prior art.

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of the combination of Shankar and Newton by using a code having at least one and one half bytes and at most two bytes for designating the call entry. This can be performed by adhering to the teachings of AAPA. This

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would improve the system of the combination since the code conforms to the standard and by conforming to the standard will allow the system to be more easily integrated in larger systems.

Regarding claim 11, forwarding at least one of the information elements as component of protocol-conformal messages according to the Q.763 protocol and the Q.764 protocol. Q.763 and Q.764 have previously been discussed with reference to claim 10.

10. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shankar as applied to claim 12 above, and further in view of Scoggins (US 20030227908).

Shankar is silent on messages being transmitting according to one of the MGCP protocol and the H.248 protocol between a signaling unit and a network access unit.

Scoggins teaches messages being transmitting according to one of the MGCP protocol and the H.248 protocol between a signaling unit (fig. 3 box 306) and a network access unit (fig. 3 box 303, [0040]).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of Shankar by transmitting messages according to one of the MGCP protocol and

the H.248 protocol between a signaling unit and a network access unit. This would improve the system since both MGCP and H.248 are a standardized reliable means for transmitting messages.

***Allowable Subject Matter***

11. Claims 5 and 6 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 5, nothing in the prior art of the record teaches or fairly suggests a tag having a value of 3 for identifying the information element, in view of the teachings of Shankar in combination with all the limitations listed in the claim.


Regarding claim 6, nothing in the prior art of the record teaches or fairly suggests a tag having a value of 2 for identifying the information element, in view of the teachings of Shankar in combination with all the limitations listed in the claim.

**Conclusion**

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Abelson whose telephone number is (571) 272-3165. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Ronald Abelson  
Examiner  
Art Unit 2666

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